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09/892,622

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EXAMINER

HUYNH, CONG LAC T

ART UNIT

PAPER NUMBER

2178

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/892,622

Applicant(s)

MIYAWAKI ET AL.

Examiner

Cong-Lac Huynh

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-10,12,14-16,18,20-22,24 and 26-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3,5-9,12,14,15,18,20,21,24,26,27,31-36 and 41-45 is/are allowed.
- 6) ☒ Claim(s) 1,10,16,22,28-30 and 37-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/12/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to communications: RCE filed 1/5/07 to the application filed on 6/28/01, priority 6/28/00.
2. Claims 37-45 are added.
3. Claims 2, 4, 11, 13, 17, 19, 23, 25 were canceled previously.
4. Claims 1, 3, 5-10, 12, 14-16, 18, 20-22, 24, 26-45 are pending in the case. Claims 1, 3, 10, 12, 16, 18, 22, 24, 28-30 are independent claims.
5. The rejections of claims 1, 10, 16, 22, 28 under 35 U.S.C. 102(b) as being anticipated by Johnson have been withdrawn in view of the amendment.

### ***Priority***

6. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

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were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1, 10, 16, 22, 28, 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, *Bookmark Organiser Ready*, Electronic Engineering Times, July 31, 1995, pg. 140 (pgs 1-2 as printed from ProQuest) in view of Belfiore et al. (US 5,611,060, 3/11/97).

Regarding independent claim 10, Johnson discloses:

- obtaining a dragging-and-dropping operation, and a copying-and-pasting operation of said various image data provided by the server which are displayed on the Web browser in the client (**page 1, last paragraph**: "Along with WWW pages, images and text encountered on the Internet ...users can merely **drag-and-drop** WWW pages, images and text into the GrabNet window ... For other browsers, *a simple copy-and paste accomplishes the same task*"; drag-and drop and copy-and-paste operations can be obtained to apply on various image data provided by the server which are displayed on the web browser in the client, where one data using drag-and drop operation, and the other data using copy-and-paste operation)

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- inserting said various image data into the application of the client by dragging and dropping or copying and pasting various image data provided by the server which are displayed on the Web browser in the client (**page 1**: "If used with a *Macintosh and Netscape*, users can merely **drag-and-drop** WWW pages, **images** and text *into the GrabNet window* to automatically transfer their universal-source-locator (URL) along with the image or text clippings. *For other browsers*, a simple **copy-and paste accomplishes the same task**"; drag and drop or copy and paste various images on the Internet on the web browser into the client window shows that the images are inserted into the client window)
- obtaining, together with various image data provided by the server which are displayed on the Web browser in the client, URLs in which various image data are published, and information relating to said various image data, and managing the information relating to said various image data as attributes of said various image data (page 140: "... users can merely drag-and-drop WWW pages, **images** and text *into the GrabNet window* to **automatically transfer their universal-source-locator (URL) along with the image** or text clippings ... In either case, *the WWW page's title is used as the index entry within GrabNet* ... The clipboard-to-folder icon adds the image or text on the clipboard to the open GrabNet window along with its originating URL"; transferring the URL along with the image implies that many URLs would be transferred along with various images; in other words, URLs are obtained with various image data; further since the WWW page's title is used as the index entry within GrabNet, the page's title

plays a role as a control factor for managing the information relating to image data whenever the images are dropped in the GrabNet window)

Johnson does not disclose that said inserting said various image data is carried out at a portion of a mouse cursor by dragging and dropping and displaying said various image data in the application of the client at the position of the mouse cursor.

Belfiore discloses inserting a selected image data into an application at a portion of a mouse cursor by dragging and dropping and displaying said various image data in the application of the client at the position of the mouse cursor (figures 4A-B).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Belfiore into Johnson for further showing that when dragging and dropping an image data into an application, the inserting step is carried out at a position of a mouse cursor and displaying said image in the application at client at the position of the mouse cursor.

Claim 1 is for a system of method claim 10, and is rejected under the same rationale.

Claim 16 is for a computer-readable storage medium of method claim 10, and is rejected under the same rationale.

Claim 22 is for a program of method claim 10, and is rejected under the same rationale.

Claim 28 is for a system of method claim 10, and is rejected under the same rationale.

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Regarding claim 40, which is dependent on claim 1, Johnson discloses that one or more URLs are attached to the image data (page 140: transferring the URL along with the image implies that one URL is attached to the image data).

10. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson, *Bookmark Organiser Ready*, Electronic Engineering Times, July 31, 1995, pg. 140 (pgs 1-2 as printed from ProQuest) in view of Smith, *Collaborate on the Web*, CADalyst, Feb 1999, vol. 16, Iss. 2, pg. 58, 6 pgs (pages 1-8 as printed from ProQuest).

Regarding independent claim 29, Johnson discloses:

- allowing a user to insert an image into an application (**page 1**: "If used with a Macintosh and Netscape, users can merely drag-and-drop WWW pages, images and text into the GrabNet window to automatically transfer their universal-source-locator (URL) along with the image or text clippings. For other browsers, a simple copy-and paste accomplishes the same task"; drag and drop images into the client window shows that the images are inserted into the client window)
- updating an image attribute in the application with a URL at which the image is available (**page 140**: "... users can merely drag-and-drop WWW pages, **images** and text into the GrabNet window to automatically transfer their universal-source-locator (URL) along with the image or text clippings ... In either case, the WWW page's title is used as the index entry within GrabNet ... The clipboard-to-folder

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icon adds the image or text on the clipboard to the open GrabNet window along with its originating URL"; transferring their URL *along with* the image shows that the image is updated with a URL at which the image is available compared with when transferring the image alone where the WWW page's title is considered identification information relating to the image since the title is information to identify the image)

Johnson does not disclose updating an image attribute in the application with and with an image identification information relating to the image.

Smith discloses updating an image attribute in the application with and with an image identification information relating to the image (pages 1 and 4: a Web collaboration tools for CAD users by providing a virtual work site where the users can share and discuss designs, *revisions*, and project documents via the Internet as well as keep track design changes; page 2: showing changes made to drawings on the meeting held over the Web with simultaneous discussion ).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Smith into Johnson for the following reason. The fact that Smith discloses showing *changes made to drawings* with *simultaneous discussion* implies that updating CAD image corresponding to each URL and other information associated with the CAD drawings, which are images, is performed. The combination of Smith into Johnson would update quickly CAD drawings, which are image data, as well as related CAD information in the Internet to provide the newest image information to users.



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11. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stierle, *BricsNet Acquires Leading Online Provider of Building Industry*, Business Wire, Oct 26, 1999, page 1 (pgs 1-3 as printed from ProQuest) in view of Cunningham, *Built for Existing Users not the First-Timer*, Computing Canada, August 5, 1997, vol. 23, Iss. 16, pg.28, 2 pgs (pages 1-3 as printed from ProQuest) and Smith, *Collaborate on the Web*, CADalyst, Feb 1999, vol. 16, Iss. 2, pg. 58, 6 pgs (pages 1-8 as printed from ProQuest).

Regarding independent claim 30, Stierle discloses:

- allowing a user to insert a CAD part and part image into a CAD application (**page 2**: “.. *BricsNet’s new architectural software for IntelliCAD and AutoCAD will enable users to insert specifications and CAD symbols from the Internet into their design via a drag-and-drop operation ...*”)

Stierle does not disclose:

- updating a CAD attribute of the CAD part in the CAD application with a URL at which the CAD part and part image are available and with CAD part identification information relating to the CAD part

Cunningham discloses:

- updating a CAD attribute of the CAD part in the CAD application with a URL at which the CAD part and part image are available (page 2: “.. By saving drawings in DWF (Drawing Web Format), you can post them to a Web page where they can be viewed with a plug-in. URLs can also be attached to your drawings ..”:

the CAD drawings, when saved in DWF (Drawing Web Format), can be posted to a web page with the URLs attached to the drawings)

Cunningham does not disclose:

- updating a CAD attribute of the CAD part in the CAD application with CAD part identification information relating to the CAD part

Smith discloses updating an image attribute in the application with and with an image identification information relating to the CAD image (pages 1 and 4: a Web collaboration tools for CAD users by providing a virtual work site where the users can share and discuss designs, *revisions*, and project documents via the Internet as well as keep track design changes; page 2: showing changes made to drawings on the meeting held over the Web with simultaneous discussion ).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Smith into Stierle and Cunningham for the following reason. The fact that Smith discloses showing *changes made to drawings* with *simultaneous discussion* implies that updating CAD image corresponding to each URL and other information associated with the CAD drawings is performed. The combination of Smith into Stierle and Cunningham would update quickly CAD drawings, which are image data, as well as related CAD information in the Internet to provide the newest image information to users.

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12. Claims 37-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson as applied to claim 1 above, and further in view of Takiguchi et al. (US 7,085,435, 8/1/06, priority 9/25/06).

Regarding claim 37, which is dependent on claim 1, Johnson does not disclose that a list of the attributes of the image data is used.

Takiguchi discloses a list of attribute information of the image data is used for identifying the image (figures 9 and 11).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Takiguchi into Johnson for incorporating a list of attributes of an image with related information to the image for quickly recognizing the image.

Regarding claim 38, which is dependent on claim 1, Johnson and Takiguchi do not disclose that a particular item belonging to said list is highlighted.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Takiguchi to include the highlighting an item in the list since it was well known in the art that when an item in a list is selected, said item is highlighted. Also, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Takiguchi into Johnson for indicating the selection of an item in a list with the highlighting feature.

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13. Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson as applied to claim 1 above, and further in view of Smith, Collaborate on the Web, CADalyst, Feb 1999, vol. 16, Iss. 2, pg. 58, 6 pgs (pages 1-8 as printed from ProQuest).

Regarding claim 39, which is dependent on claim 1, Johnson does not disclose that the URL related to the image data and the information relating to the image data are updated.

Smith discloses a Web collaboration tools for CAD users by providing a virtual work site where the users can share and discuss designs, *revisions*, and project documents via the Internet as well as keep track design changes (pages 1, 4). Smith further discloses *showing changes made to drawings* on the meeting held over the Web with *simultaneous discussion* (page 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Smith into Johnson for the following reason. The fact that Smith discloses showing *changes made to drawings* with *simultaneous discussion* implies that updating CAD image corresponding to each URL and other information associated with the CAD drawings is performed. The combination of Smith into Johnson would update quickly CAD drawings, which are image data, as well as related CAD information in the Internet to provide the newest image information to users.

***Response to Arguments***

14. Applicant's arguments filed 1/5/07 have been fully considered but they are not persuasive.

Regarding claims 1, 10, 16, 22, 28, Applicants argue that Johnson neither teaches, discloses, nor suggests "obtaining, together with various image data provided by the server which are displayed on the Web browser in the client, URLs in which various image data are published and information relating to said various image data, and managing the information relating to said various image data as attributes of said various image data" as recited (Remarks, page 12).

Examiner respectfully disagrees.

Johnson discloses images displayed on the Internet of the web browser (page 1) where the image is dragged-and-dropped or copied and pasted along with a URL. Clearly, the images, when dragged-and-dropped or copied and pasted would go along with the URLs. Further, since the WWW page's title is used as the *index entry* within GrabNet, the page's title plays a role as a control factor for managing the information relating to image data whenever the images are dropped in the GrabNet window. Thus, Johnson does teach the obtaining and managing as claimed.

Johnson does not explicitly disclose "displaying said various image data in the application of the client at the position of the mouse cursor." Belfiore, in combination with Johnson discloses that feature.

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Regarding independent claim 29, Applicants argue that Johnson does not disclose "updating an image attribute in the application with a URL at which the image is available and with image identification information relating to the image" since the URL is considered identification information relating to the image, and thus, "cannot also meet the recitation "image identification information relating to the image." Further, using WWW page's title as the index entry is simply tracing the origin of the image with the URL, not "updating an image attribute ..." as claimed (Remarks, page 10).

The Examiner agrees that the image attribute is not updated with the identification information of the image but is updated with the URL. Smith discloses the updating an image attribute in the application with image identification information relating to the image. See the rejection.

Applicants address that the statement "the image, when dropped or pasted in the application, is inserted in the application" in the final office action is submitted without basis. Applicants are directed to Belfiore for this well known insertion feature when dragging and dropping an object in figures 4A-B.

Regarding claim 30, Applicants argue that Stierle and Cunningham do not disclose "updating a CAD part attribute of the CAD part in the CAD application with a URL at which the CAD part and part image data are available and with CAD part identification information relating to the CAD part".

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The reason is that the Office Action acknowledges that Cunningham does not disclose, "information relating to said various CAD parts data as attributes of the CAD parts data" so Cunningham must not be updating "a CAD part attribute of the CAD part in the CAD application with a URL at which the CAD part and part image are available and with CAD part identification information relating to the CAD part," (Remarks, page 16).

Examiner agrees only that the cited references do not disclose "updating a CAD part attribute of the CAD part in the CAD application with CAD part identification information relating to the CAD part." Cunningham does teach saving the CAD drawings with their URLs and posting the CAD drawings in the Internet (see office action, page 10). Saving the CAD drawings along with their URLs is one way of updating the saving of CAD drawings alone. Smith, in combination with Stierle and Cunningham, discloses updating a CAD part attribute of the CAD part in the CAD application with CAD part identification information relating to the CAD part." See the rejection.

***Allowable Subject Matter***

15. Claims 3, 5-9, 12, 14-15, 18, 20-21, 24, 26-27, 31-36, 41-45 are allowed.

16. The following is a statement of reasons for the indication of allowable subject matter: displaying the various CAD parts data in the application of the client at the position of the mouse cursor in a rubber-banding format has not been disclosed in the prior art of record.

***Conclusion***

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Akatsuka et al. (US 5,047,754).

Malamud et al. (US 5,630,080).

Thomson (US 5,724,532).

Hogan (US 5,933,597).

Nason et al. (US 6,892,359).

Yamamoto et al. (US 6,968,095).

Amento et al., TopicShop : Enhanced Support for Evaluating and Organizing Collections of Web Sites, ACM 2000, pages 201-209.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cong-Lac Huynh  
Primary Examiner  
Art Unit 2178  
02/01/07